

Notice of Allowability

Application No.

10/070,137

Applicant(s)

MOCK ET AL.

Examiner

Art Unit

Jeanne-Marguerite Goodwin

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to interveiw on June 25, 2007.
2. ☒ The allowed claim(s) is/are 12-37 and 39-43.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None , of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 2/14 & 2/20/07 | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Bushnell on June 25, 2007.

The application has been amended as follows:

aaa. In the specification, page 7, line 22: --wheel-- has been *added* before "21" for antecedent purposes;

a. In claim 12, line 2: --encased between a dial side driven by said movement element to provide a representation of time, and a reverse side, said movement element containing an opening extending through said reverse side to said dial side-- has been *added* after "element";

b. In claim 12, line 3: ", said flying tourbillon module being" has been *removed*;

c. In claim 12, line 3: --comprising an independent element relative to said time element being removably inserted into said opening via said reverse side, said flying tourbillon being-- has been *added* after "module" ;

d. In claim 12, line 3: "a" before "dial" has been *replaced* by --said-- for antecedent purposes;

e. In claim 12, line 4: --while said flying tourbillon resides within said opening, and being removably separable from said movement element while operationally

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assembled as said flying tourbillon module via said reverse side of said movement element-- has been *added* after “element;

f. In claim 12, line 6: “tourbillion” has been *replaced* by --tourbillon-- for correct spelling;

g. In claim 12, lines 7-10: have been *deleted* .

h. In claim 13, line 5: --wheel-- has been *added* before “disposed”;

i. In claim 14, line 1: “wherein” has been *replaced* by --with-- per Attorney’s request;

j. In claim 14, line 2: “bearing means comprises” has been *replaced* by --flying tourbillon module comprised of--

k. In claim 15, line 2: --wheel-- has been *added* after “balance”;

l. In claim 17, line 1: --wheel-- has been *added* after “balance”;

m. In claim 18, line 2: --wheel-- has been *added* after “balance;

n. In claim 18, line 3: “on which said collet is disposed” has been *deleted*;

o. In claim 18, line 4: --wheel-- has been *added* after the second “balance”;

p. In claim 18, line 4: “said bearing means” has been *replaced* by --a bearing-- for antecedent purposes;

q. In claim 18, line 5: “form” has been *replaced* by --forming-- for grammatical purposes;

r. In claim 19, line 2: “said bearing means comprising” has been *deleted*;

s. In claim 24, line 1: “assembling a time indicator with” has been *replaced* by --installing-- ;

t. In claim 24, line 2: --in a time indicator-- has been *added* after “tourbillon”;

u. In claim 24, line 3: “with” has been *replaced* by --comprised-- ;

v. In claim 24, line 4: --disposed between a dial side and a reverse side of said time indicator, said movement element containing an opening extending through said reverse side to said dial side-- has been *added* after “elements”;

w. In claim 24, line 7: “in the movement” has been *replaced* by --within said opening-- ;

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x. In claim 24, line 7: --operationally engaging the time indicator with operational movements of said flying tourbillon module being visible from said dial side and said flying tourbillon module being-- has been *added* after “module;

y. In claim 24, line 8: --as said integral module-- has been *added* after “seperable” ;

z. In claim 24, line 8: --via said reverse side-- has been *added* after “element”;

aa. In claim 25, line 3: --wheel-- has been *added* after “balance”;

bb. In claim 28, lines 2-3: “a dial” has been *replaced* by --the dial-- ;

cc. In claim 29, line 2: “an opening” has been *replaced* by --the opening;

dd. In claim 32, line 2: “an opening” has been *replaced* by --the opening-- ;

ee. In claim 34, line 4: “a side” has been *replaced* by --the reverse side--;

ff. In claim 34, line 4: “a dial” has been *replaced* by --the dial;

gg. In claim 37, line 2: “an opening” has been *replaced* by --the opening-- ;

hh. In claim 37, line 2: --element-- has been *added* after “movement”;

ii. In claim 37, line 3: --element-- has been *added* after “movement”;

jj. In claim 39, line 1: “38” has been *replaced* by --43-- for dependency purposes;

kk. In claim 42, line 1: “38” has been *replaced* by --43-- for dependency purposes;

ll. In claim 42, line 1: “wherein the bearing means” has been *replaced* by --with said flying tourbillon comprising-- ; and

--43. A time indicator, comprising:

a flying tourbillon module assembled independently from a movement element that is encased between a dial side of the movement element driven by the movement element to provide a representation of time, and a reverse side of the movement element,

said flying tourbillon module operationally engaging a constituent element of the movement module when said flying tourbillon module is removably inserted via the reverse side into an opening in the movement element that extends between the dial side and the reverse side,

said flying tourbillon being visible from said dial side of said movement element while said flying tourbillon resides within said opening, and being removably separable from said movement element while operationally assembled as said flying tourbillon module via said reverse side of said movement element, and

said flying tourbillon module comprising a cantilevered bearing that supports said flying tourbillon module.--

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2. The following is an examiner's statement of reasons for allowance: The prior art of record does not disclose a device and method of providing a flying tourbillon module comprising an independent element relative to said time element being removably inserted into said opening via said reverse side, said flying tourbillon being visible from said dial side of said movement element while said flying tourbillon resides within said opening, and being removably separable from said movement element while operationally assembled as said flying tourbillon module via said reverse side of said movement element and there seems to no motive to provide such arrangement in the prior art.

Claims 13-23, 25-37, 39-42 are allowed because they are dependent upon independent claims 12, 24, 43, respectively.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeanne-Marguerite Goodwin whose telephone number is (571) 272-2104. The examiner can normally be reached on alternate Fridays off.

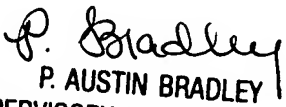
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (571) 272-2001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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6/25/07

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